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### FACSIMILE COVER SHEET

Date: **AUG 19, 2008**

<b>To:</b>	<b>Mail Stop PETITIONS</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Facsimile:</b>	(571) 273-8300
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<b>From:</b>	<b>VERENIUM CORPORATION</b> (Customer No. 29062) Intellectual Property Department P.O. Box 910550 San Diego, California 92121-0550 USA	<b>Facsimile:</b>	(858)526-5796
		<b>Phone:</b>	(858)526-5450
		<b>e-mail:</b>	rick.delatorre@verenium.com

<b>Re:</b>	<b>Application No.:</b>	09/291,931	<b>Filed:</b>	13-Apr-1999
	<b>Patent No.:</b>	6,190,897	<b>Issued:</b>	20-Feb-2001
	<b>Examiner:</b>	P. Tung	<b>Group Art Unit:</b>	1652
	<b>Customer No:</b>	29062	<b>Confirmation No.:</b>	2783
	<b>Inventor(s):</b>	Kretz		
	<b>Title:</b>	Phytase		
	<b>Attorney Docket:</b>	564462001801/D1370-2US		

Transmittal Form	
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Petition for Correction of Inventorship 37 CFR 1.324	2
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<b>Total pages (including this page):</b>	<b>16</b>

**Certificate**

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**of Correction**

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/291,931; Patent Number: 6,190,887	
	Filing Date	Apr. 13, 1999; Issue Date: Feb. 20, 2001	
	First Named Inventor	Kretz	
	Art Unit	1652	
	Examiner Name	P. Tung	
Total Number of Pages in This Submission	15	Attorney Docket Number	56446-2001801/D1370-2US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition for Corr. of Inventors under 37 CFR 1.324 (2 pages) See Remarks for other enclosures
Remarks Statement - Jay Short (2 pages); Statement - Keith Kretz (2 pages); Statement under 37 CFR 3.73(b) (1 page); Consent of Assignee (1 page); Substitute Declaration (3 pages); Completed Form SB/44 Certificate of Correction (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Verenium Corporation	
Signature		
Printed name	Lynn M. Linkowski	
Date	8/19/08	Reg. No. 47,320

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Rick de la Torre	Date 8/19/08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	09/391,831; US 6190897
	Filing Date	Apr. 13, 1999; Feb. 20, 2001
	First Named Inventor	Kretz
	Art Unit	1452
	Examiner Name	P. Tung
	Attorney Docket Number	56496-20011801/D1370-205

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.  
This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500661:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.38(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(a) - to record a filing date.
- § 1.57(a) - to record a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to record a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

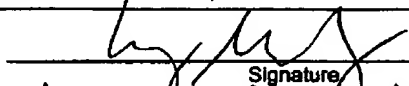
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.958 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

  
 Signature  
Lynn M. Linkowski  
 Typed or printed name

8/19/08  
 Date  
47,320  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**  
(Fees are subject to annual revision)Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/371,291 ; US 6190897
Filing Date	Apr. 13, 1999 ; Feb. 20, 2001
First Named Inventor	Kretz
Art Unit	1652
Examiner Name	P. TUNG
Attorney Docket Number	56446-2001/801/D1370-203

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.  
This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17L.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500661:  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.162 - for decision on a question not specifically provided for.
- § 1.163 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

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- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.26 - for retroactive license.

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For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Lynn M. Linkowski  
 Signature  
 Typed or printed name

8/19/08  
 Date  
47,320  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUG 21 2008

Patent No.: 6,190,897

1

Docket No.: 56446-2001801/D1370-2US

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Keith KRETZ

Patent No.: 6,190,897

Confirmation No.: 2783

Issue Date: February 20, 2001

Art Unit: 1652

Application No.: 09/291,931

Examiner: P. Tung

Filing Date: April 13, 1999

For: PHYTASE

**PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT**  
**PURSUANT TO 37 C.F.R. § 1.324**

**MAIL STOP: PETITIONS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a petition for correction of error in the misjoinder of Keith A. KRETZ and the nonjoinder of Jay M. SHORT as inventor in the above issued patent. It is respectfully requested that this petition be granted and this file forwarded to the Certificate of Corrections Branch for issuance of a certificate correcting the error, to delete Keith A. KRETZ and add Jay M. SHORT.

Enclosed herewith is:

1. A declaration under 37 C.F.R. § 1.324(b)(1) from Jay M. Short, who is being added as inventor, stating the error occurred without any deceptive intention on his part.
2. A declaration under 37 C.F.R. § 1.324(b)(2) from Keith A. Kretz, who is being deleted as inventor, stating the error occurred without any deceptive intention on his part and he has no disagreement with the change in inventorship.
3. A statement under 37 C.F.R. § 1.373(b), establishing right of assignee to take action

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01 FC:1464 130.00 DA AUG 21 2008

Patent No.: 6,190,897

2

Docket No.: 56446-2001801/D1370-2US

4. Written consent of the assignee under 37 C.F.R. § 1.324(b)(3).
5. Substitute Declaration for Patent Application.
6. Completed Form PTO/SB/44 Certificate of Correction


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Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 500661. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 500661.

Respectfully submitted,

Date:

8/19/08

  
\_\_\_\_\_  
Lynn Linkowski  
Reg. No.47, 320  
Telephone: 858-526-5450  
Fax: 858-526-5796

Verenium Corporation  
Intellectual Property Department  
4955 Directors Place  
San Diego CA 92121

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Docket No.: 56446-2001801/D1370-2US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Keith KRETZ

Patent No.: 6,190,897

Confirmation No.: 2783

Issue Date: February 20, 2001

Art Unit: 1652

Application No.: 09/291,931

Examiner: Peter P. Tung, Ph.D.

Filing Date: April 13, 1999

For: PHYTASE

**STATEMENT BY JAY M. SHORT IN SUPPORT OF PETITION FOR CORRECTION OF  
INVENTORSHIP OF PATENT PURSUANT TO 37 CFR 1.324(b)(1)**

**MAIL STOP: PETITIONS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Jay M. SHORT, declare as follows:

1. I reside at 12985 Via Esperia, Del Mar, CA 92014;
2. I was omitted as the sole inventor in the above-mentioned application. Under the present circumstances, it is clear that I, Jay M. SHORT am the sole, true inventor in the present U.S. Patent;
3. The error in inventorship occurred without any deceptive intention on my part.

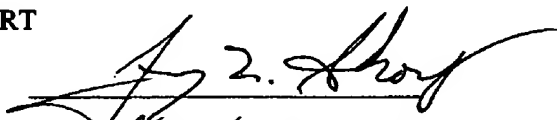
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2      Docket No.: 56446-2001801/D1370-2US  
(PATENT)

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jay M. SHORT

Signature:



Date:



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Docket No.: 56446-2001801/D1370-2US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Keith KRETZ

Patent No.: 6,190,897

Confirmation No.: 2783

Issue Date: February 20, 2001

Art Unit: 1652

Application No.: 09/291,931

Filing Date: April 13, 1999

Examiner: Peter P. Tung, Ph.D.

For: PHYTASE

**STATEMENT BY KEITH KRETZ IN SUPPORT OF PETITION FOR CORRECTION OF  
INVENTORSHIP OF PATENT PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

**MAIL STOP: PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Keith KRETZ, declare as follows:

1. I reside at 973 Hawthorne Court, San Marcos, CA 92069.
2. I was mistakenly included as the sole inventor of the above-referenced patent and I have no disagreement to the change of inventorship, deleting Keith Kretz's name and adding Jay M. Short as the sole inventor of the patent; and
3. This error in inventorship occurred without any deceptive intent on my part.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,190,897

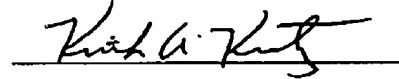
2

Docket No.: 56446-2001801/D1370-2US

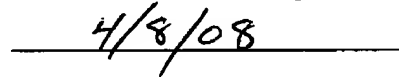
statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Keith Kretz

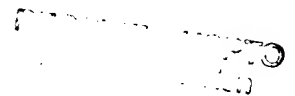
Signature:



Date:



sd-354633

  
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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Keith KretzApplication No./Patent No.: US 6,190,897 Filed/Issue Date: Feb. 20, 2001Entitled: PHYTASEVERENIUM CORPORATION, a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:


1. From: Keith Kretz To: Diversa Corporation  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 020218, Frame 0472, or for which a copy thereof is attached.
2. From: Diversa Corporation To: Verenum Corporation  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 020362, Frame 0673, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
 Signature

May 06, 2008

Date

William H. Baum858-526-5110

Printed or Typed Name

Telephone Number

Executive Vice President - Business Development

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 56446-2001801/D1370-2US  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Keith KRETZ

Patent No.: 6,190,897

Confirmation No.: 2783

Issue Date: February 20, 2001

Art Unit: 1652

Application No.: 09/291,931

Filing Date: April 13, 1999

Examiner: Peter P. Tung, Ph.D.

For: PHYTASE

**WRITTEN CONSENT OF ASSIGNEE FOR PETITION TO CORRECT INVENTORSHIP  
PURSUANT TO 37 CFR 1.324(b)(3)**

Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Verenium Corporation is the assignee of the above-captioned patent as recorded in the Patent and Trademark Office at Reel 020362, Frame 0673. Verenium Corporation is fully aware of the Petition to Correct Inventorship to ~~delete~~ Keith KRETZ and to ~~add~~ Jay M. SHORT as sole inventor. Accordingly, Verenium Corporation consents to the change of the inventorship of U.S. Patent 6,190,897 to add Jay M. SHORT as inventor.

Verenium Corporation

Signature:

Name:

Title:

Date:

  
William H. Baum

Executive Vice President  
Business Development

May 06, 2008

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Attorney Docket No.: 564462001801/D1370-2US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****SUBSTITUTE DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed in the invention entitled:

**PHYTASE**

the specification of which was filed on **April 13, 1999** as Application No. **09/291,931**, which issued as U.S. Patent No. **6,190,897** on **February 20, 2001**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no foreign applications have been filed

☐ foreign application(s) have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			Yes No
			Yes No

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Attorney Docket No.: 564462001801/D1370-2US

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no U.S. provisional applications have been filed.

☐ U.S. provisional application(s) have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		Yes No

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☐ no U.S./PCT applications have been filed.

☒ U.S./PCT application(s) have been filed as follows:

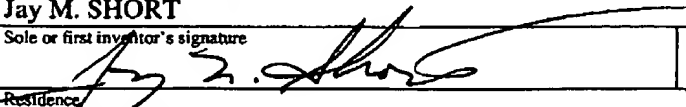
Application Number	Date of Filing	Status (Patented/Pending/Abandoned)
09/259,214	March 1, 1999	Patented
08/910,798	August 13, 1997	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

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Attorney Docket No.: 564462001801/D1370-2US

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Jay M. SHORT</b>	
Sole or first inventor's signature 	Date <b>March 24, 2008</b>
Residence <b>Del Mar, California</b>	
Citizenship <b>US</b>	
Mailing Address  <b>12985 Via Esperia Del Mar, California 92014</b>	

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PTO/SB/44 (08-07)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,190,897  
APPLICATION NO.: 09/291,931  
ISSUE DATE : Feb. 20, 2001  
INVENTOR(S) : Keith Kretz

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, section [75] Inventor: "Keith Kretz, San Marcos, CA (US)." should be changed to --Jay M. Short, Del Mar, CA (US)--

### MAILING ADDRESS OF SENDER (Please do not use customer number below):

Verenium Corporation  
P.O. Box 910550  
San Diego, California 92191-0550

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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